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Commercial Environmental Systems Group, Inc.
(currently known as CES Group, Inc.) and George Halko

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

**NORMAN WRIGHT MECHANICAL
EQUIPMENT CORPORATION,**

Plaintiff,

vs.

**POTOMAC ENVIRONMENTAL
TECHNOLOGIES; WAIS JALALI;
MICHAEL POST; BRIAN MAZUR;
COMMERCIAL ENVIRONMENTAL
SYSTEMS GROUP, INC.; GEORGE
HALKO; and DOES 1 through 50**

Defendants.

Case No. CV 06-02065 MJJ

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING THE TIME TO
ANSWER, MOVE OR OTHERWISE
RESPOND TO THE FIRST AMENDED
COMPLAINT

[CIVIL L.R. 6-2]

Courtroom: 11, 19th Floor
Honorable Martin J. Jenkins

PURSUANT TO CIVIL LOCAL RULE 6-2, counsel for plaintiff NORMAN S. WRIGHT MECHANICAL EQUIPMENT CORPORATION (“Plaintiff”), and counsel for defendants COMMERCIAL ENVIRONMENTAL SYSTEMS GROUP, INC. (currently known as CES GROUP, INC.) and GEORGE HALKO (“Defendants”) submit this stipulation and proposed order extending the time for Defendants to respond to the First Amended Complaint:

WHEREAS, Plaintiff filed this action in the Superior Court of California, County of San Francisco on March 6, 2006;

WHEREAS, Plaintiff filed a First Amended Complaint in this action in the

1 Superior Court of California, County of San Francisco on March 10, 2006;

2 WHEREAS, on March 17, 2006, Defendants filed a Notice of Removal,
3 effectively removing this action to the above-entitled court, and on March 22, 2006,
4 Defendants filed a Joinder in Notice of Removal of Action;

5 WHEREAS, on March 29, 2006, Plaintiff and Defendants stipulated to an
6 extension for Potomac Defendants to answer, move or otherwise respond to the First
7 Amended Complaint up to and including May 3, 2006;

8 WHEREAS, on April 18, 2006, Defendants filed a motion to compel
9 arbitration of claims and for a stay of this entire action, including Plaintiff's claims
10 against Defendants, pending arbitration (the "Defendants' Motion");

11 WHEREAS, the Defendants' Motion is scheduled for hearing on May 24,
12 2006 at 10:30 a.m. before Magistrate Judge Chen;

13 WHEREAS, if the Defendants' Motion is granted in its entirety, this action
14 will be stayed pending arbitration;

15 WHEREAS, Plaintiff and Defendants agree that judicial economy and the
16 interests of the parties in avoiding unnecessary expenses would be served and
17 promoted by continuing Defendants' time to answer, move or otherwise respond to
18 the First Amended Complaint until after the Defendants' Motion has been heard and
19 decided;

20 WHEREAS, continuing Defendants' time to answer, move or other respond
21 to the First Amended Complaint as stipulated below will not materially affect the
22 schedule for this action.

23 IT IS HEREBY STIPULATED AND AGREED by Plaintiff and Defendants,
24 by and through their respective counsel that the last day for Defendants to answer,
25 move or otherwise respond to the First Amended Complaint is continued to June 13,
26 2006.

27 IT IS FURTHER STIPULATED AND AGREED that nothing herein, nor the
28 extension of time to answer, move or otherwise respond to the First Amended

1 Complaint shall constitute a waiver of any of Defendants' or Plaintiff's defenses or
2 procedural or substantive rights, which are expressly reserved.

3 Plaintiff and Defendants respectfully request the Court approve the stipulation
4 to extend the time to respond to the First Amended Complaint.

5
6 Dated: April 26, 2006

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11 By: /s/ Howard O. Boltz, Jr.
HOWARD O. BOLTZ, JR.
12 Attorneys for Defendants
13 CES GROUP INC. and GEORGE HALKO

14
15 Dated: April 26, 2006

LEONIDOU & ROSIN, P.C.
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19 By: /s/ Janette G. Leonidou
JANETTE G. LEONIDOU
20 Attorneys for Plaintiff
21 NORMAN S. WRIGHT MECHANICAL
22 EQUIPMENT CORP.
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ORDER

BASED ON THE FOREGOING AND GOOD CAUSE APPEARING, IT IS
HEREBY ORDERED THAT:

Defendants will have up to and including June 13, 2006 to answer, move or
otherwise respond to the First Amended Complaint. By this stipulation and the
extension of time to answer, move or otherwise respond to the First Amended
Complaint, Defendants and Plaintiff have not waived any defenses or procedural or
substantive rights.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/2/2006



HONORABLE JUDGE MARTIN J. JENKINS